

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 9	
2. AMENDMENT/MODIFICATION NO. 0008		3. EFFECTIVE DATE 29-Jun-2005		4. REQUISITION/PURCHASE REQ. NO. W81W3G-0A76-0002		5. PROJECT NO.(If applicable)	
6. ISSUED BY USAED - BALTIMORE 10 SOUTH HOWARD STREET BALTIMORE MD 21201		CODE W912DR		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. W912DR-05-R-0002	
				X		9B. DATED (SEE ITEM 11) 31-Mar-2005	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The solicitation for the Public-Private Competition of the US Army Corps of Engineers Directorate of Public Works functions is amended to add revised Department of Labor Davis Bacon Wage Determination, NH 030004, Modification 6. As a result of this amendment, the proposal due date is not changed.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 13-Jun-2005	

SUMMARY OF CHANGES - Changes are in **BOLD** Print

Section H – SPECIAL CONTRACT REQUIREMENTS

Delete 1st Paragraph:

U.S. Department of Labor Service Contract Act (SCA) Wage Determinations, have been included, titled: General Wage Decision No. 94-2339 REV (24) dated 05/17/2005 and Decision No. 94-2297 REV (26) dated 05/23/2005, with all current modifications. U.S. Department of Labor Davis Bacon Act Wage2297 REV (26) dated 05/23/2005, with all current modifications. U.S. Department of Labor Davis Bacon Act Wage Determinations, have been included, titled: MS030003 (Rev 10, dated 04/08/05), MS030020 (dated 06/13/03), MS030023 (dated, 06/13/03), NH030003 (Rev 1, dated 03/05/04), NH030004 (Rev 5, dated 06/10/05), and NH030005 (Rev 3, dated 12/14/04). The wage rates are an attachment located in Section J.

Add New 1st Paragraph

U.S. Department of Labor Service Contract Act (SCA) Wage Determinations, have been included, titled: General Wage Decision No. 94-2339 REV (24) dated 05/17/2005 and Decision No. 94-2297 REV (26) dated 05/23/2005, with all current modifications. U.S. Department of Labor Davis Bacon Act Wage2297 REV (26) dated 05/23/2005, with all current modifications. U.S. Department of Labor Davis Bacon Act Wage Determinations, have been included, titled: MS030003 (Rev 10, dated 04/08/05), MS030020 (dated 06/13/03), MS030023 (dated, 06/13/03), NH030003 (Rev 1, dated 03/05/04), **NH030004 (Rev 6, dated 06/24/05)**, and NH030005 (Rev 3, dated 12/14/04). The wage rates are an attachment located in Section J.

SECTION J - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS EXHIBIT/
ATTACHMENT TABLE OF CONTENTS

A new Section J is attached and made a part hereof.

New Department of Labor Davis Bacon Wage Determination NH030004 (Rev 6, dated 06/24/05) is attached.

Section J - List of Documents, Exhibits and Other Attachments
Exhibit/Attachment Table of Contents

<u>DOCUMENT TYPE</u>	<u>DESCRIPTION</u>	<u>DATE</u>
Wage Decision	94-2297 REV (26)	<u>23 May 2005</u>
Wage Decision	94-2339 REV (24)	<u>17 May 2005</u>
Wage Decision	MS030003 REV (10)	<u>08 April 2005</u>
Wage Decision	MS030020	<u>13 June 2003</u>
Wage Decision	MS030023	<u>13 June 2003</u>
Wage Decision	NH030003 (REV 1)	<u>05 March 2004</u>
Wage Decision	NH030004 (REV 6)	<u>24 June 2005</u>
Wage Decision	NH030005 (REV 3)	<u>24 December 2004</u>
EFT Form		
CCR Memorandum		
Disclosure of Lobbying Activities	Standard Form LLL	
Performance Assessment Report		
Past Performance Questionnaire		
Performance Work Statement and All Technical Exhibits and Attachments		
Labor- Management Contract between USACE WES and AFGE Local 3310		<u>04 May 1999</u>
Negotiated Agreement between USA CRREL and NFFE Local 1472, Hanover, NH		<u>May 1995</u>

WAGE DETERMINATION DECISION
of the SECRETARY OF LABOR

The following wage determination will be used to conform
with the requirements of the Davis -Bacon Act (40 U.S.C.
276a to 276a-7) of the Contract Clauses*:

Decision No. NH030004 dated 06/24/2005

APPLIES TO all Construction Types: Highway
Counties: New Hampshire Statewide.

*WAGE DETERMINATIONS: The provisions of the Davis -Bacon Act also apply to employees who work at off-site facilities such as batch plants, rock quarries, sand pits, and the like, which are set up exclusively to furnish material to the on-site construction project and are reasonably near the construction site. Accordingly, contractors are required to maintain complete records on such employees. However, operations of a "commercial supplies" or "material-man" established in proximity to but not on the actual site of work prior to the opening of bids are not covered by the Act even if dedicated exclusively to the Federal project for a time. (29 CFR 5.2(1))

General Decision Number: NH030004 06/24/2005 NH4

Superseded General Decision Number: NH020004

State: New Hampshire

Construction Types: Highway

Counties: New Hampshire Statewide.

Highway construction projects (does not include major bridges for example, bascule, suspension and spandrel arch bridges; bridges bridging waters presently navigable or to be made navigable; bridges involving marine construction in any degree); tunnels; building structures in rest areas; railroad construction)

Modification Number	Publication Date
0	06/13/2003
1	11/14/2003
2	03/05/2004
3	08/20/2004
4	01/14/2005
5	06/10/2005
6	06/24/2005

ENGI0004-016 12/01/2004

ROCKINGHAM and STRAFFORD COUNTIES:

	Rates	Fringes
Backhoe.....	\$ 22.94	14.76

* ENGI0098-011 04/01/2005

HILLSBOROUGH COUNTY:

	Rates	Fringes
Power equipment operators:		
Backhoe.....	\$ 22.50	6.65

PAID HOLIDAYS:

New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day; plus, for workers who have been employed for six months, a personal day.

LABO0668-002 06/01/2001

HILLSBOROUGH and STRAFFORD COUNTIES:

	Rates	Fringes
Laborers:		
GUARDRAIL LABORERS.....	\$ 15.00	7.15

LABO0976-001 06/01/2001

ROCKINGHAM COUNTY:

	Rates	Fringes
Laborers:		
GUARDRAIL LABORERS.....	\$ 15.00	7.15

* SUNH2001-001 06/08/2001

	Rates	Fringes
Carpenters:		
Carpenter (includes form		

work):		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND SULLIVAN		
COUNTIES.....\$ 14.86	1.33	
Carpenter (includes form		
work):		
HILLSBOROUGH, ROCKINGHAM		
AND STRAFFORD COUNTIES.....\$ 14.73	1.02	
Ironworkers :		
Reinforcing:		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND STRAFFORD		
COUNTIES.....\$ 13.00	1.70	
Ironworkers:		
Structural:		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND SULLIVAN		
COUNTIES.....\$ 13.50	1.66	
HILLSBOROUGH, ROCKINGHAM		
AND STRAFFORD COUNTIES.....\$ 13.81		
Laborers:		
Flagger :		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND STRAFFORD		
COUNTIES.....\$ 9.05	1.15	
Flagger:		
HILLSBOROUGH, ROCKINGHAM		
AND STRAFFORD COUNTIES.....\$ 10.18		
Guardrail laborer:		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND SULLIVAN		
COUNTIES.....\$ 10.00	.25	
Pipelayer:		
HILLSBOROUGH, ROCKINGHAM		
AND STRAFFORD COUNTIES.....\$ 12.67	1.21	
Unskilled laborer :		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND SULLIVAN		
COUNTIES.....\$ 10.83	1.42	
Unskilled laborer:		
HILLSBOROUGH, ROCKINGHAM		
AND STRAFFORD COUNTIES.....\$ 11.54	1.19	
Power equipment operators:		
Backhoe :		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		
MERRIMACK AND SULLIVAN		
COUNTIES.....\$ 16.02	1.68	
Bulldozer :		
BELKNAP, CARROLL,		
CHESHIRE, COOS, GRAFTON,		

MERRIMACK AND SULLIVAN COUNTIES.....\$ 14.98	1.52
Bulldozer:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 18.93	3.32
Compactor:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 12.14	1.40
Crane :	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 16.00	1.67
Crane:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 17.16	1.38
Excavator :	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 15.23	1.67
Excavator:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 16.88	1.84
Grader :	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 18.70	1.09
Grader:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 18.96	1.67
Loader :	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 13.45	1.29
Loader:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 16.91	2.54
Mechanic (maintenance):	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 17.69	3.50
Paver :	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 15.00	1.98
Paver:	
HILLSBOROUGH, ROCKINGHAM AND STRAFFORD COUNTIES.....\$ 14.63	1.44
Roller:	
BELKNAP, CARROLL, CHESHIRE, COOS, GRAFTON, MERRIMACK AND SULLIVAN COUNTIES.....\$ 12.85	2.66
HILLSBOROUGH, ROCKINGHAM	

AND STRAFFORD COUNTIES.....\$ 13.89	1.43
Truck drivers:	
2, 3 and 4-axle:	
BELKNAP, CARROLL,	
CHESHIRE, COOS, GRAFTON,	
MERRIMACK AND SULLIVAN	
COUNTIES.....\$ 11.04	1.62
3-axle:	
HILLSBOROUGH, ROCKINGHAM	
AND STRAFFORD COUNTIES.....\$ 12.72	1.48
Dump :	
BELKNAP, CARROLL,	
CHESHIRE, COOS, GRAFTON,	
MERRIMACK AND SULLIVAN	
COUNTIES.....\$ 10.99	1.44
Dump:	
HILLSBOROUGH, ROCKINGHAM	
AND SULLIVAN COUNTIES.....\$ 12.70	.97

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request

review and reconsideration from the Wage and Hour Administrator
(See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the
interested party's position and by any information (wage payment data,
project description, area practice material, etc.) that the requestor
considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an
interested party may appeal directly to the Administrative Review Board
(formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.
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END OF GENERAL DECISION